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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,575	10/06/2003	Xin Jin	555255012590	3126

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EXAMINER	
GESESSE, TILAHUN	
ART UNIT	PAPER NUMBER
2618	
MAIL DATE	DELIVERY MODE
11/20/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/679,575	JIN ET AL.	
	Examiner	Art Unit	
	Tilahun B. Gesesse	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 October 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *50-61* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *50-61* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/23/08 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 50-57 are rejected under 35 U.S.C. 102(b) as being anticipated by Johansson et al (US 5,983,100).

Claim 50, Johansson et al. teaches an apparatus (see figure 13). Johansson et al. teaches a wireless telephone the telephone being configured to automatically adjust the power level of its output signal based on whether the telephone in speakerphone mode (see column 12 ,line 49-column 13, line 12 and figures 13).

Claim 51, Johansson et al teaches the power level is adjusted during a single communication session (see column 12, line 49-column 13, line 12 and figure 13).

Claims 52-53, Johansson et al teaches the power level is adjusted setting a maximum output power level (column 12, line 49-column 13, line 12 and figure 13) in which adjusts to increase the power higher level of the communication in session?

Claim 54, Johansson et al. teaches an apparatus (see figure 13). Johansson et al. teaches a wireless telephone the telephone being configured to automatically adjust the power level of its output signal based on whether the telephone in speakerphone mode (see column 12 ,line 49-column 13, line 12 and figures 13).

Claim 55, Johansson et al teaches the power level is adjusted during a single communication session (see column 12, line 49-column 13, line 12 and figure 13).

Claims 56-57, Johansson et al teaches the power level is adjusted setting a maximum output power level (column 12, line 49-column 13, line 12 and figure 13) in which adjusts to increase the power higher level of the communication in session?

4. Claims 58-61 are rejected under 35 U.S.C. 102(b) as being anticipated by Griffin et al (US 5,898,908).

Claim 58, Griffin et al. teaches an apparatus (see figure 1 a vehicle cradle interface 10 with internal antenna and external antenna). Griffin et al. teaches a wireless telephone (12) that includes a built-in antenna (40) for transmitting and receiving wireless signals (see figures 1-2) in which the wireless telephone 12 operates with internal antenna in an operation mode 102 if the telephone is in cradle mode then switches to cradle power supply and switches to external antenna (66).

Griffin et al. teaches an external antenna removably attachable to the telephone for transmitting and receiving the wireless signals (column 6, lines 41-column 7, line 10 and figures 1-2).

Griffin teaches the telephone being configured to automatically adjust the power level of its output signal based on whether the wireless signals are being conducted through the built-in antenna or through the external antenna (see column 6, lines 41-column 7, line 10 and figures 1-2).

Claim 59, Griffin teaches the power level is adjusted during a single

communication session (see column 6,line 41-column 7, line 10 and figures 1-2).

Claims 60-61, Griffin teaches the power level is adjusted setting a maximum output power level (see figure 2 column 6, line 41-column 7, line 10).

The references cited on PTO-892 form are relevant to the broadly recited applicant's claim invention.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B. Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 19, 2008
T.B.G

Tilahun B Gesesse
Primary Examiner
Art Unit 2618

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